



STEVENS COUNTY  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
Record of Decision

For Ecology Use Only  
**RECEIVED**  
JUN 19 2013  
DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE  
Reviewed by: \_\_\_\_\_  
Date Reviewed: \_\_\_\_\_

Applicant: Diamond M Ranch/Mac & Cass Partnership

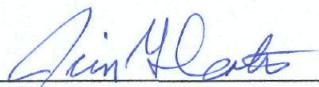
Application Number: **STEV-12-04**

This record of decision was made by a majority of the board at an open public meeting of the Stevens County Water Conservancy Board held on June 17, 2013. The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report.

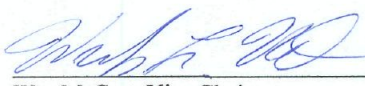
☒ **Approval:** The Stevens County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on June 17, 2013 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The (board name) Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on June 17, 2013 and submits this record of decision to the Department of Ecology for final review.


Signed:

  
\_\_\_\_\_  
Jim Gleaton, Chair  
Stevens County Water Conservancy Board

Date: 6/17/13  
Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐  
Other ☐

  
\_\_\_\_\_  
Wes McCart, Vice Chair  
Stevens County Water Conservancy Board

Date: 6/17/13  
Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐  
Other ☐

  
\_\_\_\_\_  
Luke McGuire, Treasurer  
Stevens County Water Conservancy Board

Date: 6/17/13  
Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐  
Other ☐

\_\_\_\_\_  
Tom Sparley, Member  
Stevens County Water Conservancy Board

Date: \_\_\_\_\_  
Approve ☐  
Deny ☐  
Abstain ☐  
Recuse ☐  
Other ☒  
Absent

Mailed with all related documents to the Dept of Ecology Eastern Regional Office, and other interested parties on May 25, 2012

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

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STEVENS COUNTY  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF  
THE STATE OF WASHINGTON

RECEIVED  
JUN 19 2013

DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE

Report of Examination

**NOTE TO APPLICANT:** Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

**NOTE TO AUTHOR:** Read the instructions for completing a water conservancy board report of examination. Use the F11 key to move through the form.

☒ Surface Water ☐ Ground Water

|  |   |  |  |
|--|---|--|--|
| DATE APPLICATION RECEIVED<br>November 19, 2012 | WATER RIGHT DOCUMENT NUMBER (i.e.,<br>claim, permit, certificate, etc.) S3-01379C | WATER RIGHT PRIORITY DATE<br>June 22, 1970 | BOARD-ASSIGNED CHANGE APPLICATION<br>NUMBER STEV-12-04 |
|--|---|--|--|

|   |                    |               |                     |
|---|--------------------|---------------|---------------------|
| NAME<br>Mac & Cass Partnership; Attn: Tory Wulf | (CITY)<br>Brewster | (STATE)<br>WA | (ZIP CODE)<br>98812 |
| ADDRESS (STREET)<br>PO Box 9                    |                    |               |                     |

**Changes Proposed:** ☐ Change purpose ☐ Add purpose ☐ Add irrigated acres ☒ Change point of diversion/withdrawal  
☐ Add point of diversion/withdrawal ☒ Change place of use ☒ Other: Change Season of Use

**SEPA**

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

|   |                    |                           |  |                    |                    |            |                    |
|---|--------------------|---------------------------|--|--------------------|--------------------|------------|--------------------|
| MAXIMUM CUB FT/ SECOND<br>1.0 cfs   | MAXIMUM GAL/MINUTE | MAXIMUM ACRE-FT/YR<br>360 | TYPE OF USE, PERIOD OF USE<br>To be used for irrigation of 130 acres from April 1 to October 1 |                    |                    |            |                    |
| SOURCE<br>Unnamed stream  |                    |                           | TRIBUTARY OF (IF SURFACE WATER)<br>Colville River  |                    |                    |            |                    |
| AT A POINT LOCATED:<br>PARCEL NO.<br>2519100  | ¼<br>NW            | ¼<br>SW                   | SECTION<br>10  | TOWNSHIP N.<br>31  | RANGE<br>40 E.W.M. | WRIA<br>59 | COUNTY.<br>Stevens |
| LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED<br>SW¼ Section 10, T.31N., R.40E.W.M.; Stevens County, Washington. |                    |                           |  |                    |                    |            |                    |
| PARCEL NO.<br>2519100   | ¼                  | ¼<br>SW                   | SECTION<br>10  | TOWNSHIP N.<br>31N | RANGE,<br>40E.W.M. |            |                    |

Proposed Use

|   |                    |                           |   |                   |                     |            |                     |
|---|--------------------|---------------------------|---|-------------------|---------------------|------------|---------------------|
| MAXIMUM CUB FT/ SECOND<br>1.0 cfs   | MAXIMUM GAL/MINUTE | MAXIMUM ACRE-FT/YR<br>360 | TYPE OF USE, PERIOD OF USE<br>130 acres within parcel No. 3125213005 and 3125214004 to include the W½ of Section 21, all within T31N, R25EWM from April 1 to October 31 |                   |                     |            |                     |
| SOURCE<br>Okanogan River/Wells Pool   |                    |                           | TRIBUTARY OF (IF SURFACE WATER)<br>Columbia River   |                   |                     |            |                     |
| AT A POINT LOCATED:<br>PARCEL NO.<br>3125270033   | ¼<br>S1/2          | ¼<br>SE                   | SECTION<br>22   | TOWNSHIP N.<br>31 | RANGE<br>25 E.W.M.  | WRIA<br>49 | COUNTY.<br>Okanogan |
| LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED<br>130 acres within parcel No. 3125213005 and 3125214004 to include the W½ of Section 21, all within T31N, R25EWM. |                    |                           |   |                   |                     |            |                     |
| PARCEL NO.<br>3125213005 &<br>3125214004  | ¼                  | ¼<br>W ½                  | SECTION<br>21   | TOWNSHIP N.<br>31 | RANGE,<br>25 E.W.M. |            |                     |

Board's Decision on the Application

|   |                    |                           |   |                   |                     |            |                     |
|---|--------------------|---------------------------|---|-------------------|---------------------|------------|---------------------|
| MAXIMUM CUB FT/ SECOND<br>1.0 cfs   | MAXIMUM GAL/MINUTE | MAXIMUM ACRE-FT/YR<br>360 | TYPE OF USE, PERIOD OF USE<br>130 acres within parcel No. 3125213005 and 3125214004 to include the W½ of Section 21, all within T31N, R25EWM from April 1 to October 31 |                   |                     |            |                     |
| SOURCE<br>Okanogan River/Wells Pool   |                    |                           | TRIBUTARY OF (IF SURFACE WATER)<br>Columbia River   |                   |                     |            |                     |
| AT A POINT LOCATED:<br>PARCEL NO.<br>3125270033   | ¼<br>S1/2          | ¼<br>SE                   | SECTION<br>22   | TOWNSHIP N.<br>31 | RANGE<br>25 E.W.M.  | WRIA<br>49 | COUNTY.<br>Okanogan |
| LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED<br>130 acres within parcel No. 3125213005 and 3125214004 to include the W½ of Section 21, all within T31N, R25EWM. |                    |                           |   |                   |                     |            |                     |
| PARCEL NO.<br>3125213005 &<br>3125214004  | ¼                  | ¼<br>W ½                  | SECTION<br>21   | TOWNSHIP N.<br>31 | RANGE,<br>25 E.W.M. |            |                     |



DESCRIPTION OF PROPOSED WORKS

An existing pump station leased from DNR to Gebbers Farms located in Section 22, T.31N., R.25E.W.M. is utilized for several water rights. There is an existing delivery system that currently conveys water from the long term leased diversion site existing in parts of Section 21 and 22, T.31N., R.25E.W.M. A new 10" mainline will be connected to this existing delivery system with a dedicated meter installed to measure water diverted from this system to the new place of use. A new PVC irrigation system will be installed to irrigate the 130 acres of new orchard.

DEVELOPMENT SCHEDULE

|  |   |  |
|--|---|--|
| BEGIN PROJECT BY THIS DATE:<br>December 31, 2013 | COMPLETE PROJECT BY THIS DATE:<br>December 31, 2015 | COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:<br>December 31, 2020 |
|--|---|--|

REPORT

NOTE TO AUTHOR: This form reflects the minimum regulatory requirements as required in WAC 173-153-130(6). In accordance with WAC 173-153-130(5), "It is the responsibility of the water conservancy board to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." **Completion solely of the minimum regulatory requirements may not constitute a fully documented decision.**

BACKGROUND [See WAC 173-153-130(6)(a)]

On October 15, 2012, Mac & Cass Partnership of Brewster, Washington filed an application for change to add points of diversion under Water Right Certificate No. S3-01379C to the Stevens County Water Conservancy Board (SCWCB). The application was accepted at an open public meeting of the SCWCB on November 19, 2012, and the board assigned application number STEV-12-04.

Attributes of the water right as currently documented

Name on certificate, claim, permit: Edward Woodbury.

Water right document number: S3-01379C

As modified by certificate of change number: N/A

Priority date, first use: June 22, 1970

Water quantities: Qi: 1.0 cfs      Qa: 360 acre ft./ year

Source: unnamed stream (tributary to Colville River)

Point of diversion/withdrawal: 1500 feet north and 300 feet east of the southwest corner of Section 10, located in the NW1/4SW1/4 of Section 10, T.31N., R.40E.W.M., all in Stevens County, Washington.

Purpose of use: irrigation of 130 acres

Period of use: April 1 to October 1, each year.

Place of use: SW¼ of Section 10, T.31N., R.40E.W.M., all in Stevens County, Washington.

Existing provisions:

- Issuance of this certificate shall not be construed as excusing the holder thereof from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by local agencies under the Shorelines Management Act of 1971.
- The entire opening of the diversion intake shall be tightly screened at all times with wire mesh having openings with dimensions not greater than 0.125 (1/8) inch. Water approach velocity to the screen shall be less than 1 foot per second and approaching 0.5 foot per second, as measured one foot in front of the screen.
- All diversion shall cease when the flow of the Colville River falls below 60 cubic feet per second as measured at the United States Geological Survey gaging station located at Kettle Falls. This minimum flow has been tentatively established from recommendations of the Departments of Fisheries and Game and not by existing statutory procedures. Therefore, at such times as minimum flows are established on this stream in accordance with Chapter 90.22 RCW, this certificate shall be conditioned to the extent of the new setting, provided that, under no conditions shall the certificate holder be subjected to a low flow requirement of greater than 60 cubic feet per second at the above-referenced gage.
- This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

On June 22, 1970, Edward Woodbury of Ritzville, Washington filed Application No. 22322 to divert 1.5 cfs from an unnamed creek on his property to irrigate 160 acres from May 15 to October 15 of each year and continuously for stock water. Water was requested to be withdrawn from an unnamed creek which was tributary to the Colville River at a point of diversion located 250 feet from the NE corner of SE1/4 Section 9, T.31N., R.40E.W.M. (East – Northeast from corner) being within the NW1/4SW1/4 Section 10, T.31N., R.40E.W.M.. The application was to be used in the SE¼ SE¼, W½ SE¼, and E½ SW¼



Section 9, and SW¼ Section 10 all within T.31N., R.40E.W.M.

In August of 1975, Ecology prepared a Report of Examination which approved permit S3-01379P (issued on Oct. 7, 1975) for 1.5 cfs, 540 acre-feet per year for irrigation of 160 acres from April 1 to October 1 in the SW¼ Section 10 T.31N., R.40E.W.M.

The original approved point of diversion consisted of gravity flow flood irrigation and some diversionary portable pumps with sprinklers. A proof of appropriation was conducted by Ecology on September 12, 1978, in which they confirmed the certificate should be issued for 1.0 cfs, 360 acre-feet per year to irrigate 130 acres from April 1 to October 1. No stock watering was contained on the final certification.

Mr. Woodbury continued irrigation of the land through flood irrigation and portable pumps through May 2002. Alfalfa, pasture and wheat were grown on the property. Review of aerial photographs indicates that the property was irrigated each year and did not go any five year of non-use. On May 15, 2002, Diamond M purchased the property from the Estate of E. Woodbury. After that time, the property was flood irrigated primarily for pasture. Diamond M transport cattle to the property to summer pasture from April through October of each year. Several hundred head of cattle can be on the property at any time.

The flood irrigation has occurred to the present time using diversionary channels, diversionary pipes with gate valves, and check dams.

Extent and Validity of the existing water right S3-01379C is summarized in the Water & Natural Resource Group, Inc. December 5, 2012 report titled: "Preliminary Evaluation for Extent and Validity of Surface Water Certificate No. 01379".

A search for aerial photographs was conducted for the project site. As shown on the 2011 aerial photograph, water has been diverted from several locations on the creek and is distributed throughout the property by sheet flooding. Pasture is the primary crop irrigated across the property. Aerial photographs for September 2009, August 2006, July 2005, September 2004, June 2004, June 2003, August 1998, and July 1995 were reviewed for this analysis. As shown on the aerial photographs, prior to 2003, it appears some crops were irrigated on the property. Since that time, pasture has been the primary crop. As shown on the aerial photographs, it appears that water has been diverted a minimum of once every five years.

The irrigation system at the Diamond M site is a flood irrigation system, consisting of a series of diversion pipes with "check gates" to back up water in the creek and/or divert the water to the fields. In addition, a sand bag diversion is located in the central portion of the property which backs up the creek and lets the water flood the fields. An earthen dam is present at the site with an 18-inch culvert that is blocked to back up water to flood the fields to the west and east. Diversionary pipes with gates are also located in this ponded area. The wooden gates are adjusted to control the amount of flood irrigation on the property. Two of the diversionary pipes consisted of 6-inch aluminum pipes extending approximately 50 to 100 ft into the fields adjacent to the creek. These pipes appeared to be flowing at 100-200 gpm each. The pipes diversions were located at N48.19808, W-117.75797 and N48.19839 and W-117.75658. The pipes discharged water to the fields where natural topography sloped to the east and distributed the water throughout the fields. Pipes distribute water both north and south of an old railroad grade that transects the property. An additional sand bag dam is located in the northeastern part of the property at N48.19953, W-117.75223 which floods the northeastern part of the property north and south of the creek. Sand bags are placed in and removed in order to control the amount of flooding. Inspection of the property revealed that at a minimum of 130 acres are saturated from the diversions on the property.

The fields are irrigated for pasture. During the 2012 season, over 200 head of cattle was observed on the property from May through August.

No meters are present on the site, and the existing and historical irrigation practices have consisted of the flooding of the fields. Water is conveyed through culverts and pipes which spread the water throughout the fields. No detailed infrastructure exists at the site outside of the diversionary pipes and check gates. On the aerial photographs throughout the past 20 years, the flood channels are evident, showing where the diverted water flows and ponds throughout the property. Visual inspection of flow through the diversionary pipes and the channel breaches was estimated in excess of 400 gpm. Infrastructure and analysis of water use indicate that the water right is used for the full 1.0 cfs for the irrigation season approved under certificate S3-01379C.

In order to estimate amount of water put to beneficial use, the applicant conducted several analysis to determined crop irrigation needs at the property. For the property, WIG numbers were used for the area near Chewelah, Washington. Crop irrigation requirements were used for pasture at latitude of 48.3 degrees. The irrigation season is documented beginning on May 15<sup>th</sup> and ending October 10<sup>th</sup> in the WIG. The irrigation period identified on the water right certificate is from April 1 through October 1.

As shown in the WIG, the net irrigation requirements for pasture near Chewelah, Washington is 25.45 inches (2.12 feet) per acre of land. The surface water rights were used for irrigation on approximately 130 acres on the Diamond M property from April through October of each year. Ecology will also generally accept evaporation from the irrigation system as a documented consumptive use. For flood irrigation, an assumed evaporation rate of 5-percent is added to the consumptive use (Ecology Guid-1210, 2005). For this analysis, due to the clayey soils located approximately one to two feet below the ground surface, the high end of the system efficiency rating as presented in Guid-1210 was used, 60 percent.

Utilizing this Ecology 1210 guidance, the total irrigation requirement (TIR) for the 130 acres (used for irrigation by surface water right) on the Diamond M property is 459.51 acre-feet and the total consumptive use (Cu) is 298.68 for



pasture. Return flow passes through the property and returns to the Colville River or infiltrates through the permeable soils into the groundwater. A summary of the irrigation requirements for the Diamond M property using the Ecology Guidance 1210 is provided in the WNR Group December 5, 2012 report. The Ecology Guidance computes a much higher required diversion rate (459.52 AF), using a 60% efficiency, than what is certificated (360 AF). Therefore, the entire certificate amount is assumed to have been diverted for beneficial use; 360 AF per year and 1.0 cfs.

The applicant also conducted a consumptive use and TIR requirement for the property using the Blaney-Criddle method, which is presented in WNR Group’s December 12, 2012 report. The following presents the results of this analysis:

In order to determine the actual TIR required and the consumptive use for the Diamond M property, the Blaney-Criddle method was used for precipitation and temperature data for each year between 2007 and 2011. Tables for each of these years are presented in Attachment D of the WNR Group report. The tables present the calculated results for consumptive use of pasture crops (plus irrigation system evaporation) for the Diamond M property. The table below summarizes this data.

| Summary of Pasture Crop Consumptive Use for the Years 2007 through 2011 for the Diamond M Property for 130 Acres. |  |   |  |
|---|--|---|--|
| Year  | Crop Consumptive Use Value in acre-feet per year | Total Crop Cu plus 5% system evaporation in AF/yr | Total Irrigation Requirement in AF/yr (@ 75% Efficiency) |
| 2007  | 343.34   | 360.51  | 480.67   |
| 2008  | 328.17   | 344.57  | 459.43   |
| 2009  | 322.55   | 338.68  | 451.58   |
| 2010  | 244.06   | 256.26  | 341.68   |
| 2011  | 289.35   | 303.82  | 405.09   |

As shown in the table above, the annual crop net consumptive use ranges from 256.26 acre-feet per year in 2010 to 360.51 acre-feet per year in 2007. This transfer is proposing to transfer the entire water right; therefore the highest diverted value in the past 5-years can be transferred. This would be that amount diverted in 2007. As shown on the table, the entire amount of the certificate of 360 acre-feet has been diverted in all years except 2010.

This proposed change application is requesting to change the point of diversion, change in season of use, and place of use of the right. The instantaneous rate, annual quantity will not be changed. The irrigation right is being transferred to irrigate 130 acres of Orchards in the Brewster, Washington area. No increase in the irrigable acreage will occur. The applicant has also requested to extend the existing irrigation season to end on October 31<sup>st</sup>. The requested changes to the water right will not enlarge the right or increase irrigable acreage.

Previous changes

N/A

SEPA

Exempt. The board has reviewed the proposed project in its entirety. Surface water certificate S3-01379C is less than the threshold of 1.0 cfs or less defined in the categorical exemptions of WAC 197-11 and is not part of a project requiring SEPA, therefore this application for change is categorically exempt from SEPA (WAC 197-11-800(4)).

The information or conclusions in this section were authored and/or developed by Gene St. Godard & Wes McCart.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the county where the water is to be stored, diverted and used. This transfer also involves a county to county transfer; therefore a public notice and hearing notice was published in papers of general circulation at both locations.

Public notice of the application was given in the *Chewelah Independent*, Chewelah, Washington in Stevens County on February 7 and 14, 2013. In addition, the public notice of the application was given in the *Quad City Herald*, Brewster, Washington in Okanogan County on February 7 and 14, 2013. The protest period ended on March 16, 2013.

In accordance with RCW 90.80.070(2), the SCWCB held a public hearing to receive any comments or testimony on the water right transfer from Stevens County to Okanogan County. The Public Hearing was held from 5:00 to 6:00 PM on February 18, 2013 within the Stevens County Conservation District Conference Room, 232 Williams Lake Road, Colville, Washington. Notice of the public hearing was given in the *Chewelah Independent*, Chewelah, Washington in Stevens County on February 14, 2013. In addition, the notice of the public hearing was given in the *Quad City Herald*, Brewster, Washington in Okanogan County on February 14, 2013.

There were no protests received during the 30 day protest period.

No oral or written comments were received at an open public meeting of the Board.



One written comment was received at the public hearing held on February 18, 2013. Mr. Russ Larsen of Colville, WA submitted a written comment stating "It must be done!" There are no substantive facts to this comment to respond to yet this comment does indicate a public interest statement in support of this transfer.

**The information or conclusions in this section were authored and/or developed by Wes McCart & Gene St. Godard.**

## INVESTIGATION [See WAC 173-153-130(6)(c)]

The following information was obtained from a site inspection conducted by SCWCB members Wes McCart and Jim Gleaton with the applicant's representative Gene St. Godard of WNR Group, Inc. on February 1, 2013, technical reports, research of department records, communication with Ecology and conversations with the applicant, applicant's representative from WNR Group, Inc. and/or other interested parties.

In considering the proposed application, the investigation included, but was not limited to, research and review of: (1) appropriate rules and statutes; (2) other water rights, claims, and applications in the vicinity; (3) USGS topographic maps; (4) published hydrogeologic reports and soil surveys in the vicinity; (5) aerial photographs; (6) reports prepared by the applicants licensed hydrogeologist; and (7) discussions with Department of Ecology regional program staff.

On behalf of the applicant, the WNR Group Inc. submitted a report on the Extent and Validity of the water right at the existing site dated December 5, 2012, and summary information in for the new place of use in a letter dated November 19, 2012. These reports contain information to support evidence of the water right, irrigation, historical water use, sketches, maps, diagrams, aerial photographs, and evaluation of crop use.

The existing property is primarily agricultural production lands. One water right (surface water S3-01379C) is appurtenant to the property. The property was historically irrigated with gravity flow flood irrigation, and occasionally with a portable pump and sprinkler system. The subject property is listed in the Stevens County assessor records as parcel No. 2519100 consisting of 155.66 total acres. The water right is authorized to irrigate 130 acres within this parcel in the SW $\frac{1}{4}$  Section 10, T. 31N., R40E.W.M. During most years water was applied to the property depending on crop type and crop rotation. Typical crops grown prior to 2003 were alfalfa and wheat with some pasture. Since 2003, the property has been historically irrigated for pasture, typically hosting in excess of 200 head of cattle each year to graze the property. The land lies low in the Colville River valley floor and is located west of the Colville River.

The transfer application will not change the irrigable acreage or type of use. The existing certificate allows for the irrigation of 130 acres, which is the proposed use on the application.

### *Colville River Basin WAC 173-559*

The Colville River Basin is managed under WAC 173-559. This basin plan establishes policies and base flow conditions to manage existing water rights and water resources within the basin. Since adoption of the base flow conditions, Ecology has issued numerous water rights within the Colville River Basin subject to base flow conditions. These rights are subject to regulation when the flows in the Colville River drop below the required volumes or the conditions of their water rights are exceeded. WAA 173-559 was filed in July 1977.

Although this certificate has a priority date of June 22, 1970, a flow condition is listed as a provision on the certificate as:

*"All diversion shall cease when the flow of the Colville River falls below 60 cubic feet per second as measured at the United States Geological Survey gaging station located at Kettle Falls. This minimum flow has been tentatively established from recommendations of the Department of Fisheries and Game and not by existing statutory procedures. Therefore, at such times as minimum flows are established on this stream in accordance with Chapter 90.22 RCW, this certificate shall be conditioned to the extent of the new setting, provided that, under no conditions shall the certificate holder be subjected to a low flow requirement of greater than 60 cubic feet per second at the above-referenced gage."*

There are approximately 24 water right holders in the Colville River Basin that are interruptible and subject to base flow limitations of WAC 173-559. The base flows are managed at two gage stations within the Colville River system and junior water users are notified of these base flow conditions when the flows fall below the established rates.

The Colville River has dropped below the base flow conditions eight times since the adoption of the regulation in 1977. During these periods, junior water users are required to curtail pumping until the flows exceed the established minimum flow levels. The base flows are monitored by the Department of Ecology and a weekly hotline is typically established to notify water users of the regulation.

If the water right transfer is approved, the historic diversion within the Colville River Basin would cease. The water used on this ranch would remain in unnamed creek, then into the Colville River, then to the Columbia River to the point of diversion for the new project in the Wells Pool.

When this water right was exercised at the original location, near the Colville River, water in excess of the amount consumed by the crop would return to the shallow aquifer and the Colville River as return flows. This water would then be available for other water users within the Colville River.

The Colville River Basin is subject to potential regulation in the tributaries and main stem conditions when water is not available to meet base flow conditions as described in WAC 173-559. Water that was historically return flows was available to junior and senior water rights. Review of historical use revealed that the entire water right of 360 acre-feet was consumed in at least one of



the last 5 years of use. The applicant proposes to change this diversion to a diversion downstream in the Wells Pool. Therefore, the historical amount of water that was consumed (360 acre-feet) will now be available to the Colville River flows.

The change to add points of diversion are within the influences of the Wells Pool within the Okanogan River valley. The proposed change will not increase the amount of water withdrawn from the Wells Pool that was historically consumed in the Colville River, nor will it increase the land under irrigation or expand the right. The new point of diversion approved under this change application is located downstream of the original approved point of diversion.

#### *Proposed project plans and specifications*

The applicant is not proposing to change the type of use. The change will still allow for the irrigation of 130 acres. The existing use has been irrigating 130 acres of pasture. The proposed use will irrigate 130 acres of orchards.

The applicant proposes to change point of diversion to an existing approved point of withdrawal located in the S½SE¼ Section 22 T31N, R25EWM, located on parcel No. 3125270033. The additional point of diversion is an operating diversionary structure owned by the Washington State DNR and leased to Gebbers Farm and Mac & Cass Partnership under DNR lease agreement No. 12-067588 revised on March 8, 1993. The term of the lease is valid through January 1, 2044.

The DNR pump station (proposed new point of diversion) in Sec. 22 is located approximately six (6) river miles upstream from the confluence with the Columbia River, and approximately ten (10) river miles below the Malott gauge on the Okanogan River. The diversion point is within the Wells Pool.

The new diversion (which is existing and used for other diversions discussed below) consists of 24' x 37' wood frame steel siding with insulation, heating system, lighting and humidity control system. The diversion consists of a two (2) 400 hp pumps, one 250 hp pump, and one 150 hp pump. Water is diverted through an 18-inch mainline to a lagoon located approximately 1000 feet west of the Okanogan River and pump house. Infrastructure at the Lagoon Pump Station consists of one (1) 150 hp pump, four (4) 300 hp pumps, and one (1) 350 hp pump. A 500 hp booster pump conveys water to the north through an 18-inch mainline, where a second 500 hp booster pump then conveys the water to the west through 18-inch mainline. Once in Section 21, a 60 hp booster pump then conveys the water through 10-inch mainline to lands which are currently being irrigated. The proposed project will then connect to this 10-inch mainline to irrigate the property.

Development of infrastructure at the proposed place of use listed under this change application has begun. Planting of orchards and PVC irrigation lines has occurred. Upon approval of this transfer, construction of an 8 or 10-inch mainline will be constructed to connect to the existing water delivery system. A meter will be installed at this connection point. The applicant has requested a development schedule to begin by December 31, 2013. The construction project will be completed by December 31, 2015, with five (5) years provided to fully perfect the water right by December 31, 2020.

The proposed point of diversions is located approximately six (6) miles upstream of the confluence of the Okanogan and Columbia Rivers. The backwater of the pool of Wells Dam of the Columbia River influences the area of the proposed diversion. It appears the inundation of the Wells Pool at this location is year round.

To protect anadromous fish and resident fish, the Department of Fisheries requires that all diversions such as the applicants meet screening and velocity criteria. Due to the combined instantaneous quantities of the permits and certificates from the proposed existing diversion, the screening construction should meet the screening requirements based on minimum instantaneous demand of all permits, certificates and applications pending at this location according to the criteria of the Department of Fisheries.

Hydraulic Project Approval is required for any work completed along shorelines.

The applicant proposes to move the water right downstream to irrigate 130 acres of cherry orchards. The remaining land within the proposed project area is described to remain in a natural state with small pathways between the irrigated plots. The cherry orchards will be located on 130 acres within the W½ Section 21, T.31N., R.25E.W.M. The WIG for the Chief Joe Dam identifies a cherry orchard with cover to require 35.57 inches (2.965 ft). This is close to the consumptive portion perfected at the existing place of use.

#### *Other water rights appurtenant to the property (if applicable)*

There are no other water rights appurtenant to the existing described place of use of certificate S3-01379C.

No other certificates are located on the lands described for the proposed new place of use.

For the point of diversion that is being proposed for change to certificate S3-01379C under this application, several other water rights are approved for diverting water from the Wells Pool. The following table summarizes the water rights for the diversion point located in the on Government Lot 5 S½ SE¼ Section 22, T.31N., R.25E.W.M, in the Wells Pool within Okanogan County. This diversion structure is owned by the Washington DNR and leased to Mac & Cass Partnership under lease agreement No. 12-067588 signed March 8, 1993. The lease is valid through January 1, 2044.

| Water Right No. | Priority Date | Certificate Name | Qi (cfs) | Qa (AF/yr) | Approved Place of Use   |
|-----------------|---------------|------------------|----------|------------|---|
| R4-26153        | 2/7/1979      | WA DNR (1)       |          | 28         | Impoundment structure approved in NW¼ SW¼ SE¼ Sec. 22 T.31N., R.25E.W.M.                          |
| S3-20176P       | 4/19/1972     | WA DNR (1)       | 21       | 4069       | 950 acres from 4/1-10/1 in: E½NE¼, W½SE¼ Sec. 17; NE¼, N½ SE¼ Sec. 21; SW¼, SW¼ SE¼ Sec. 22; NE¼, |



|   |           |               |      |        |  |
|---|-----------|---------------|------|--------|--|
|   |           |               |      |        | E½ NW¼, NE¼ SW¼, S½ SW¼, SW¼ SE¼ Sec. 28; E½ NE¼ Sec. 29; W½ NE¼, E½ NW¼, NW¼ NW¼, W½ SW¼, SE¼ SW¼ Sec. 33, T.31N., R.25E.W.M.   |
| S4-30151P   | 1/22/1990 | Marty Wick    | 4.53 | 1200   | 960 acre-feet per year to be used for irrigation of 240 acres from March 1 to October 31; 240 acre-feet per year to be used for frost protection from March 1 to April 1 in W½ SW¼ and NW¼ Sec. 27, T.31N., R.25E.W.M.   |
| S4-30983P   | 9/27/1991 | Gebbers Farms | 0.71 | 161    | 160 acre-feet per year to be used for irrigation of 40 acres from March 1 to October 31; 1 acre-feet per year for stockwater in Gov't Lots 3 and 4 Sec. 22, T.31N., R.25E.W.M.   |
| S4-30391P   | 8/28/1990 | Marty Wick    | 3.4  | 900    | 720 acre-feet per year to be used for irrigation of 180 acres from March 1 to October 31; 180 acre-feet per year to be used for frost protection from March 1 to April 15 in N½ SE¼ Sec. 28; W½ NW¼ and SE¼ NW¼ Sec. 22, SW¼ SW¼ Sec. 15; SE¼ Sec. 16, T.31N., R.25E.W.M.  |
| CS4-30388P<br>(2)   | 6/22/1970 | Gebbers Farms | 5.6  | 1245.2 | Permit is proposed to add this as a place of diversion. Place of use under permit is for 1200 acre-feet per year to be used for irrigation of 300 acres from April 1 to October 31; 45.2 acre-feet per year to be used for frost protection from March 1 to April 30 located in NE¼NE¼, S½NE¼, N½SE¼, and SE¼SE¼ Section 6; E½NE¼NE¼ Section 7; W½NW¼ and SE¼NW¼ Section 8; all in T.31N., R.25E.W.M.; and SW¼SE¼, SE¼SW¼ and that portion of SE¼SE¼ and of the south 15 chains, 16 links of Government Lot 5 lying west of the County Road in Section 31, T.32N., R.25E.W.M., all in Okanogan County, Washington. |
| (1) Water right is under lease agreement to Mac & Cass Partnership;<br>(2) Certificate is currently going through change application process by Gebbers Farms of Brewster, WA. Change application being processed by Okanogan Co. WCB under application No. OKAN-12-06. |           |               |      |        |  |

Infrastructure at the proposed diversion facility can support all the existing and proposed water rights.

Public Interest (groundwater only)

The proposed surface to surface transfer is authorized under RCW 90.03.380 exclusively and therefore is not subject to RCW 90.44.100. Detriment to the public interest, including impacts on any watershed planning activities, is not required under this transfer application.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings:

The Stevens County Water Conservancy Board finds that Water Right S3-01379C is valid and has not been abandoned or relinquished. Aerial records were reviewed and show no five year period of nonuse and no other indications of relinquishment. The extent of the water right was reviewed via the WIG and Blaney-Criddle methods and found that the full extent of 360 acre-ft/year has been used within the last five years. Further, the diversion system was analyzed and found to be capable of diverting 1cfs. Therefore, the Board finds the water right valid to the full extent on the certificated amount and the tentative determination of the extent and validity of the water right is provided on the front page of this report.

Geologic, Hydrogeologic, or other scientific investigations (if applicable)

The change application is requesting to change the point of diversion from an unnamed stream tributary to the Colville River to the Okanogan River (Wells Pool). The hydrologic path of the transfer is downstream in surface water of the Colville River to the Columbia River which is eventually impounded by the Wells Dam (Lake Pateros). The Wells Pool Impoundment backwater extends up the Okanogan River Valley over ten miles. The proposed point of diversion is located approximately six river miles up the Okanogan River Valley. Existing points of diversion are listed as diverting water from the Wells Pool. The backwater of the pool of Wells Dam of the Columbia River influences the area of the proposed diversion. Therefore, waters within areas of the Wells Pool are a comingling of Okanogan and Columbia River waters, and as such, the transfer of water from the existing point of diversion can be approved.

Other



An analysis was performed to show that the water right would not be enlarged and impairment is not an issue with the extension of the period of use from April1-October 1 to April 1-October 31.

The monthly instream flow (as a function of the diversion) in the new diversion reach was determined on a month to month basis as average cfs and total acre-feet of consumptive use. Monthly consumptive use of acre-feet for irrigation was determined by allocating the 360 afy of total consumptive use proportionally throughout the irrigation season based on the monthly crop requirements presented in the WIG-Chief Joe Dam station for cherry with cover. The monthly percentage of diversion/flow is as follows: 0.11% in April, 12.48% in May, 21.99% in June, 29.16% in July, 21.17% in August, 13.83% in September, and 1.26% in October. The table below shows the average and total monthly consumptive use quantities (assuming a 360 AF consumptive use from April 1 to October 31).

|  | April | May   | June  | July   | August | Sept. | Oct  | Total |
|--|-------|-------|-------|--------|--------|-------|------|-------|
| WIG Allocation<br>(inches @ Chief Joe) | 0.04  | 4.44  | 7.82  | 10.37  | 7.53   | 4.92  | 0.45 | 35.57 |
| Qa (af)                                | 0.4   | 44.93 | 79.16 | 104.96 | 76.22  | 49.79 | 4.54 | 360   |

As shown in the table above, a weighted average shows approximately 4.54 acre-feet will be consumed by project in October, the month in which the applicant is requesting to extend the irrigation season on the existing certificate. This results in an average diversion rate of 0.07 cfs from the Wells Pool.

The existing diversion is currently located in an unnamed creek draining into the Colville River, with its irrigation season ending on October 1. Downstream of the existing diversion, the surface water will flow through the Colville River and enter into the Columbia River, within the FDR reservoir which is regulated by Grand Coulee Dam. Retention of the additional flow into this reservoir will vary seasonally. Once released from FDR reservoir, the water flows to the Rufus Woods reservoir behind Chief Joe Dam. Some retention time may occur in this reservoir also before it is finally released to the Wells Pool (Lake Pateros) which is inundated by the Wells Dam, and is the final new source diversion location. Due to the diminimus quantity in October at the new diversion in Wells Pool, and the potential delay of the original source water to the new diversion caused by the numerous reservoirs downstream, the Board has determined that no mitigation or provisions are required for the extension of the irrigation season. Further, it is believed that instream flow during historic low flow periods in both the Colville River and Columbia River will be enhanced by this transfer.

The existing irrigation season on the certificate is April 1 to October 1, or 184 days. Assuming the diversion occurred over the irrigation season each year, approximately 1.96 AF/day was diverted. The new diversion is requesting a change of season of use to April 1 to October 31, or 214 days. This would result in an average diversion of 1.68 AF/day. The extension of the irrigation season would assist the flows in the Columbia River approximately 0.28 AF/day (0.14 cfs) from April 1 through October 1 of each year. Analysis of the existing right has shown that the entire right was consumed in at least one year of the last five. The season of use at the proposed place of use is similar to that near the Chewelah location. Irrigation seasons may fluctuate during different years, and the new place of use may not require water through October 31. The season of use for the irrigation seasons are relatively the same at both locations.

Water right certificate S3-01379C contains a provision that conditions the right to flows at the Kettle Falls gaging station:

“All diversion shall cease when the flow of the Colville River falls below 60 cubic feet per second as measured at the United States Geological Survey gaging station located at Kettle Falls. This minimum flow has been tentatively established from recommendations of the Departments of Fisheries and Game and not by existing statutory procedures. Therefore, at such times as minimum flows are established on this stream in accordance with Chapter 90.22 RCW, this certificate shall be conditioned to the extent of the new setting, provided that, under no conditions shall the certificate holder be subjected to a low flow requirement of greater than 60 cubic feet per second at the above-referenced gage.”

This provision was based upon a Washington Fish and Game “Surface Water Source Limitation or SWSL” letter. The water right has a June 22, 1970 priority date, yet it is not unusual at this time for certificates in the Colville River Basin to contain this provision based on a recommendation from Washington Fish & Game. In 1977, Ecology passed an administrative instream flow rule (WAC 173-559) for the Colville River Basin (WRIA 59). Flows for the instream rule, as identified in the rule, are measured at the confluence of the Colville River and Stensgar Creek (Upper Colville River Basin) and at the confluence of the Colville River with Lake Roosevelt (Lower Colville River Basin). Table 1 within WAC 173-559 presents the state administrative flows set at these control points under the rule. This rule requires that any future appropriations of water not impair these flow allocations. At the time of rule adoption, the two control points were developed. However, since rule adoption continuous records monitoring flows at the Colville River only occur at the lower Colville River gauging station (USGS No. 12.4090.00).

This provision was included on the certificate prior to the setting of the Colville River ISF in July 1977. The 1977 rule for the Colville River at the Kettle Falls station identified the following flows (in cfs) must be met:

|                  | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec |
|------------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
| 1st              | 80  | 80  | 124 | 200 | 200 | 90  | 55  | 33  | 40   | 60  | 84  | 100 |
| 15 <sup>th</sup> | 80  | 100 | 157 | 200 | 135 | 70  | 43  | 33  | 49   | 70  | 100 | 90  |

The Board reviewed average monthly flow data compiled by the USGS at the Kettle Falls gaging station for the Colville River. Data reviewed were collected from October 1975 through September 2012, a 37 year span of data. Over this time period, flows as identified in WAC 173-559 were not met on the monthly average in July 1977 (20.6 cfs), August 1977 (20.4



cfs), July 1979 (47.4 cfs), August 1979 (27.4 cfs), August 1988 (32.4 cfs), and August 1994 (29.1 cfs). Flows in the Colville have been met since September 1994, over the past 18 years. The proof of appropriation was done on September 12, 1978. Therefore, low flows in 1977 were during development and perfection of the water right. The certificate was issued in June 1979. The flows during June 1979 were averaged at 131.6 cfs, and the average flow for July 1979 was 47.4. With the average flow for July per WAC 173-559 being 49.0 cfs, it is reasonable to believe that flow was met for most of this period. In August 1988, with the average flow being 32.4 and a low flow of 33: July 1988 flows at 74.0 and low flow at 55/43; September 1988 flows of 53.3 and low flows at 40/49, it is reasonable to conclude that no shut off would have been required due to the short nature of low flows and the accuracy of the gage. Therefore, there are only two periods where flows could have led to shut off of the right – August 1979 and August 1994. Since we can review monthly statistical daily mean averages, and shut off requires flows to drop below those published in WAC 173-559 for seven consecutive days, it is reasonable looking at the entire period of review that the water right will not be enhanced or increased. This water right transfer will be changing irrigation rights to a new point of diversion downstream in the Wells Pool of the Columbia River. Therefore, in the opinion of the Board, provisions to the instream flow rule at the Kettle Falls gaging station should be removed.

**The information or conclusions in this section were authored and/or developed by Wes McCart & Gene St. Godard.**

## CONCLUSIONS [See WAC 173-153-130(6)(d)]

### *Tentative determination (validity and extent of the right)*

The Stevens County Water Conservancy Board finds that Water Right Certificate S3-01379C is valid and has not been abandoned or relinquished. The tentative determination of the extent and validity of the water right is provided on the front page of this report.

### *Relinquishment or abandonment concerns*

There are no relinquishment or abandonment concerns.

### *Hydraulic analysis*

The hydrologic path of the transfer is downstream in surface water of the Colville River to the Columbia River which is eventually impounded by the Wells Dam (Lake Pateros). The Wells Pool Impoundment backwater extends up the Okanogan River Valley over ten miles. The proposed point of diversion is located approximately six river miles up the Okanogan River Valley. Existing points of diversion at the proposed location are listed as diverting water from the Wells Pool. The backwater of the pool of Wells Dam of the Columbia River influences the area of the proposed diversion. Therefore, waters within areas of the Wells Pool are a comingling of Okanogan and Columbia River waters, and as such, the transfer of water from the existing point of diversion can be approved to the new point of diversion.

### *Consideration of comments and protests*

One comment was received during the February 18, 2013 hearing. No other comments, protests or other form of communication was received by the Board relative to this change application. The statement was related to public interest and is not required by RCW 90.03.380.

### *Impairment*

The Board has reviewed the water rights at, near and between the sites and finds no impairment.

### *Public Interest*

The proposed transfer is authorized under RCW 90.03.380 exclusively and therefore is not subject to RCW 90.44.100. Detriment to the public interest, including impacts on any watershed planning activities, is not required under this transfer application.

### *Other*

The proposed transfer is to move the existing surface water gravity flow flood irrigation from the existing place of use downstream to another surface water diversion. In order to move the perfected quantity of water to the new place of use, existing flood irrigation must cease on the existing property in order to assure the water right will not be enhanced. In order to complete the transfer, the owner, Diamond M Ranch, agrees that the existing irrigation at the site which consists of several diversion pipes placed within the stream channel, must be removed, in addition to any structures and/or practices which backup the stream channel to allow the surface water to flow to the irrigation delivery system. The work will consist of removing all structures that enhance flooding on the property, and abandon any canals or diversion pipes to stop the conveyance of water for flooding across the fields. The stream bank should be restored to a condition to allow stream flow to remain within the natural channel.

The board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision. Three of the four provisions will remain the same as that identified under certificate S3-01379C. The provision of conditioning the water right to SWSL and flows has been removed based on the investigation that water was available, this will not enlarge the water right and the new diversion is from the Wells Pool. Additional provisions are presented below.



**DECISION** [See WAC 173-153-130(6)(e)]

The board approves this application based on the information herein. The Board finds that a valid water right exists for Surface Water Right No. S3-01379C for a Qi of 1.0 cfs and a Qa of 360 acre-ft/yr.

Also see tentative determination on page 1.

Based on the above investigation and conclusions, the Board's decision is to approve the requested change as follows:

*Purpose of Use and Quantities*

1.0 cfs, 360 acre-ft/yr from April 1 to October 31, each year for irrigation of 130 acres;

*Place of Use*

The place of use of this water right will be 130 acres within parcels No. 3125213005 in the W $\frac{1}{2}$  Section 21, T.21N., R.25E.W.M. in Okanogan County, Washington.

*Points of Diversion*

The point of diversion will be the DNR pump house, currently under lease to Gebbers Farms/Mac & Cass Partnership through January 1, 2044, located in the Wells Pool at S  $\frac{1}{2}$  SE  $\frac{1}{4}$  Sec. 22, T.31N., R.25E.W.M. on parcel No. 3125270033 in Okanogan County, Washington.

**The information or conclusions in this section were authored and/or developed by Wes McCart & Gene St. Godard.**

**PROVISIONS** [See WAC 173-153-130(6)(f)]

*Conditions and limitations*

Issuance of this certificate shall not be construed as excusing the holder thereof from compliance with any applicable federal, state, or local statutes, ordinances or regulations including those administered by local agencies under the Shorelines Management Act of 1971.

The entire opening of the diversion intake shall be tightly screened at all times with wire mesh having openings with dimensions not greater than 0.125 (1/8) inch. Water approach velocity to the screen shall be less than 1 foot per second and approaching 0.5 foot per second, as measured one foot in front of the screen.

This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

*Additional Provisions*

This authorization is subject to Washington Department of Fisheries juvenile salmon screening criteria (pursuant to RCW 75.20.040) and/or Washington Department of Wildlife game fish screening criteria.

Prior to completion of construction being considered complete, the applicant shall provide to the Department a legible as built drawing, to scale, of the lands irrigated by state waters from the diversion. The drawing is to include the irrigation system implemented and installed and shall show locations of all booster pumps, mainlines, flow meters and parcels.

A proof inspection will be conducted prior to final superseding certificate issuance. The superseding certificate will issue only for the actual quantity being withdrawn.

A suitable measuring device approved by the Department of Ecology shall be installed at the diversion from the Okanogan River and maintained in accordance with WAC 508-64-020 through WAC 508-64-040.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with the established regulation requirements and facility capabilities.

*Mitigation (if applicable)*

None

*Construction Schedule*

Development of infrastructure at the proposed place of use listed under permit S3-01379C has begun. Planting of orchards and PVC irrigation lines has occurred. Upon approval of this transfer, construction of an 8 or 10-inch mainline will be constructed to connect to the existing water delivery system in place from the existing DNR diversion site.

The applicant has requested a development schedule to begin by December 31, 2013. The construction project will be completed by December 31, 2015, with five (5) years provided to fully perfect the water right by December 31, 2020.

*Other*

None  
040-106(0208)



**The information or conclusions in this section were authored and/or developed by Wes McCart & Gene St. Godard.**

The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Colville, Washington

This 17<sup>th</sup> day of June, 2013



Wes McCart, Board Representative  
Stevens County Water Conservancy Board

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